

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:11-cv-00869-ABJ**

HOUGHTON v. UNITED STATES DEPARTMENT OF
STATE

Assigned to: Judge Amy Berman Jackson
Cause: 05:552 Freedom of Information Act

Date Filed: 05/09/2011
Date Terminated: 08/02/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

ARTHUR HOUGHTON

represented by **James Charles Bailey**
BAILEY & EHRENBERG PLLC
1015 18th Street, NW
Suite 204
Washington, DC 20036
(202) 331-1331
Fax: (202) 318-7071
Email: jcb@becounsel.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael A. Tilghman
BAILEY & EHRENBERG PLLC
1015 18th Street, NW
Suite 204
Washington, DC 20036
(202) 331-1331
Fax: (202) 318-7071
Email: mat@becounsel.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter Karl Tompa
BAILEY & EHRENBERG PLLC
1015 18th Street, NW
Suite 204
Washington, DC 20036
(202) 331-4209
Fax: (202) 318-7071
Email: pkt@becounsel.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
STATE**

represented by **Addy R. Schmitt**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 4th Street, NW
Washington, DC 20530
(202) 616-0739
Fax: (202) 514-8780
Email: addy.schmitt@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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05/09/2011	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF STATE (Filing fee \$ 350, receipt number 4616038577) filed by ARTHUR HOUGHTON. (Attachments: # <u>1</u> Civil Cover Sheet)(jf,) (Entered: 05/10/2011)
05/09/2011		Summons (1) Issued as to UNITED STATES DEPARTMENT OF STATE. (jf,) (Entered: 05/10/2011)
05/10/2011		SUMMONS (2) Issued as to, U.S. Attorney and U.S. Attorney General (jf,) (Entered: 05/10/2011)
05/11/2011	<u>2</u>	NOTICE of Appearance by Michael A. Tilghman on behalf of ARTHUR HOUGHTON (Tilghman, Michael) (Entered: 05/11/2011)
05/11/2011	<u>3</u>	NOTICE of Appearance by James Charles Bailey on behalf of ARTHUR HOUGHTON (Bailey, James) (Entered: 05/11/2011)
05/11/2011	<u>4</u>	AFFIDAVIT of Service by ARTHUR HOUGHTON. (Tilghman, Michael) (Entered: 05/11/2011)
05/17/2011	<u>5</u>	ENTERED IN ERROR.....AFFIDAVIT of Service by ARTHUR HOUGHTON. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Tilghman, Michael) Modified on 5/18/2011 (jf,). (Entered: 05/17/2011)
05/18/2011		NOTICE OF CORRECTED DOCKET ENTRY: Document re <u>5</u> Affidavit was entered in error and counsel was instructed to refile said pleading under the correct category. (jf,) (Entered: 05/18/2011)
05/19/2011	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/16/2011. Answer due for ALL FEDERAL DEFENDANTS by 6/15/2011. (Attachments: # <u>1</u> Exhibit 1)(Tilghman, Michael) (Entered: 05/19/2011)
05/19/2011	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF STATE served on 5/15/2011 (Attachments: # <u>1</u> Exhibit 1)(Tilghman, Michael) (Entered: 05/19/2011)
05/19/2011	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/16/2011. (Attachments: # <u>1</u> Exhibit 1)(Tilghman, Michael) (Entered: 05/19/2011)
06/09/2011	<u>9</u>	ENTERED IN ERROR.....NOTICE of Appearance by Addy Schmitt on behalf of ARTHUR HOUGHTON (Schmitt, Addy) Modified on 6/10/2011 (jf,). (Entered: 06/09/2011)
06/09/2011	<u>10</u>	NOTICE of Appearance by Addy Schmitt on behalf of UNITED STATES DEPARTMENT OF STATE (Schmitt, Addy) (Entered: 06/09/2011)
06/09/2011	<u>11</u>	Consent MOTION for Extension of Time to File Answer <i>or Otherwise Respond to Complaint</i> by UNITED STATES DEPARTMENT OF STATE (Schmitt, Addy) (Entered: 06/09/2011)
06/10/2011		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>9</u> Notice of Appearance was entered in error and refiled by counsel. (See Docket Entry <u>10</u>) (jf,) (Entered: 06/10/2011)
06/10/2011		ORDER granting <u>11</u> Motion for Extension of Time to Answer or Otherwise Respond to Complaint. The response is due 8/15/2011. Signed by Judge Amy Berman Jackson on 6/10/11. (MT) (Entered: 06/10/2011)
08/04/2011	<u>12</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint by UNITED STATES DEPARTMENT OF STATE (Schmitt, Addy) (Entered: 08/04/2011)
08/05/2011		MINUTE ORDER granting <u>12</u> Consent Motion for Extension of Time to Answer. The answer is due 8/29/2011. Signed by Judge Amy Berman Jackson on 8/5/2011. (MT) (Entered: 08/05/2011)
08/29/2011	<u>13</u>	ANSWER to <u>1</u> Complaint by UNITED STATES DEPARTMENT OF STATE.(Schmitt, Addy) (Entered: 08/29/2011)

08/30/2011	<u>14</u>	ORDER that defendant file a dispositive motion or, in the alternative, a document production report on or before 9/28/2011. Signed by Judge Amy Berman Jackson on 8/31/2011. (MT) (Entered: 08/30/2011)
09/02/2011		Set/Reset Deadlines: Defendant to file either a dispositive motion or, in the alternative, a document production report on or before 9/28/2011. (jth) (Entered: 09/02/2011)
09/16/2011	<u>15</u>	Consent MOTION for Extension of Time to <i>File Dispositive Motion</i> by UNITED STATES DEPARTMENT OF STATE (Schmitt, Addy) (Entered: 09/16/2011)
09/19/2011		MINUTE ORDER granting <u>15</u> Consent Motion for Extension of Time. A dispositive motion will be due 10/17/2011. Signed by Judge Amy Berman Jackson on 9/19/2011. (MT) (Entered: 09/19/2011)
09/20/2011		Set/Reset Deadlines: Defendant's Dispositive Motion due by 10/17/2011. (jth) (Entered: 09/20/2011)
10/17/2011	<u>16</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF STATE (Attachments: # <u>1</u> Exhibit A Declaration of Margaret P. Grafeld, # <u>2</u> Exhibit B Federal Advisory Committee Act)(Schmitt, Addy) (Entered: 10/17/2011)
10/28/2011	<u>17</u>	ENTERED IN ERROR.....Memorandum in opposition to re <u>16</u> MOTION for Summary Judgment filed by ARTHUR HOUGHTON. (Attachments: # <u>1</u> Response to Statement of Undisputed Facts, # <u>2</u> Text of Proposed Order)(Tilghman, Michael) Modified on 10/31/2011 (znmw,). (Entered: 10/28/2011)
10/28/2011	<u>18</u>	Memorandum in opposition to re <u>16</u> MOTION for Summary Judgment <i>Corrected</i> filed by ARTHUR HOUGHTON. (Attachments: # <u>1</u> Response to Statement of Undisputed Facts, # <u>2</u> Text of Proposed Order)(Tilghman, Michael) (Entered: 10/28/2011)
10/31/2011		NOTICE OF CORRECTED DOCKET ENTRY: Docket Entry <u>17</u> Memorandum in Opposition was entered in error and a corrected version was filed by counsel as Docket Entry <u>18</u> Memorandum in Opposition. (znmw,) (Entered: 10/31/2011)
11/04/2011	<u>19</u>	REPLY to opposition to motion re <u>16</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Exhibit B – Supplemental Grafeld Declaration)(Schmitt, Addy) (Entered: 11/04/2011)
06/20/2012		MINUTE ORDER. It is ORDERED that defendant shall deliver to the Court on or before June 27, 2012, all parts of the two withheld documents that mention or relate to plaintiff or to a letter written by plaintiff. In camera inspection will assist the Court in making a responsible de novo determination. See Ray v. Turner, 587 F.2d 1187, 1195 (D.C. Cir. 1978). Signed by Judge Amy Berman Jackson on 6/20/12. (lcabj1) (Entered: 06/20/2012)
06/20/2012		Set/Reset Deadline: Defendant shall deliver to the Court for an In Camera Inspection, to assist the Court in making a de novo determination, all parts of the two withheld documents that mention or relate to plaintiff or to a letter written by plaintiff. In–Camera Submission is due by 6/27/2012. (jth) (Entered: 06/20/2012)
06/25/2012	<u>20</u>	NOTICE of Filing In Camera Submission Pursuant to the Court's June 20, 2012 Order by UNITED STATES DEPARTMENT OF STATE (Schmitt, Addy) (Entered: 06/25/2012)
07/12/2012	<u>21</u>	ORDER granting in part and denying in part <u>16</u> Motion for Summary Judgment. FURTHER ORDERED that defendant United States Department of State shall submit a memorandum on or before August 1, 2012 explaining whether Connelly utilized a State Department email account at any point during the relevant time period for plaintiff's FOIA request, and if so: (1) setting out a schedule for searching the email account and producing either the responsive documents or a Vaughn index asserting FOIA exemptions, or (2) explaining why FOIA does not require defendant to search the email files in this case (SEE ORDER FOR COMPLETE DETAILS). Signed by Judge Amy Berman Jackson on 7/12/12. (lcabj1) (Entered: 07/12/2012)

07/12/2012	<u>22</u>	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 7/12/12. (lcabj1) (Entered: 07/12/2012)
07/12/2012		Set/Reset Deadline: Defendant's Supplemental Memorandum due by 8/1/2012. (jth) (Entered: 07/12/2012)
07/26/2012	<u>23</u>	MEMORANDUM re <u>16</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF STATE by UNITED STATES DEPARTMENT OF STATE. (Attachments: # <u>1</u> Declaration of Sheryl L. Walter)(Schmitt, Addy) (Entered: 07/26/2012)
08/02/2012	<u>24</u>	ORDER granting <u>16</u> MOTION for Summary Judgment. It is ORDERED that defendant's motion for summary judgment, previously granted in part and denied in part, is now GRANTED in full (SEE ORDER FOR COMPLETE DETAILS). Signed by Judge Amy Berman Jackson on 8/2/12. (lcabj1) (Entered: 08/02/2012)
08/02/2012	<u>25</u>	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 8/2/12. (lcabj1) (Entered: 08/02/2012)